

## **INSTRUCTIONS FOR FILING A REQUEST FOR A HEARING IN ABSENTIA**

You may file a written request for a hearing in absentia. You must show why attending a civil traffic hearing would cause a substantial hardship. A substantial hardship is more than mere inconvenience and must be based on extraordinary circumstances. Along with this request, you MAY tender the civil sanction listed in the court's fine schedule for the civil traffic violation(s) to be posted as bond pending outcome of the hearing. It is recommended that the posting of the fine in advance will eliminate the statutory time payment fee requirement, if a ruling of responsible is rendered.

**STEP 1** Print the form, fill in all applicable information, then sign and file with the Court.

**STEP 2** To file, you must submit the completed form to the Court by mail. The request must be received prior to your initial appearance date in order for the Judge to rule on your request.

Send the original to the Scottsdale City Court at 3700 North 75<sup>th</sup> Street Scottsdale, AZ 85251. The Judge's ruling will be returned to you by mail.



**Defendant.**

**DEFENDANT'S REQUEST FOR  
A CIVIL TRAFFIC HEARING  
IN ABSENTIA AND WAIVER  
OF RIGHTS**

Case No. \_\_\_\_\_

**Defendant Name:** \_\_\_\_\_

**State in detail why attending a civil traffic hearing would be a substantial hardship. A substantial hardship is more than just mere inconvenience. Examples of substantial hardship may include residing a considerable distance from the court or having a medical or physical condition that significantly impairs the ability to participate in a hearing.**

**If the court grants my request and conducts a hearing in absentia, I waive the following rights: to personally appear to present evidence; to review evidence before the hearing (Rule 13(b)); to compel production of any citing officer notes (Rule 13(c)); to testimony under oath (Rule 16(a)); to cross examine the State's witnesses (Rule 16(c)); to present rebuttal evidence (Rule 19 (d)); to present a closing argument (Rule 19 (e)); and to immediate delivery of written notice of appeal after the imposition of any civil sanction (Rule 25(a)).**

**I acknowledge that if the Court does not receive my declaration of the facts by the hearing date, a default judgment may be entered against me, a civil sanction may be imposed, and my driving privileges may be suspended.**

Date \_\_\_\_\_

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**Defendant's signature**